

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BRIAN LEROY GEORGE,

ID #1505430,

Petitioner,

vs.

RICK THALER, Director,

Texas Department of Criminal

Justice, Correctional Institutions Division,

Respondent.

No. 3:12-CV-4283-M (BH)

**RECOMMENDATION REGARDING REQUEST TO PROCEED
IN FORMA PAUPERIS ON APPEAL**

Pursuant to *Amended Miscellaneous Order No. 6* (adopted by *Special Order No. 2-59* on May 5, 2005), requests to proceed *in forma pauperis* are automatically referred.

Before the Court is petitioner's *Application to Proceed In Forma Pauperis* on appeal, received February 1, 2013 (doc. 15).

The request for leave to proceed *in forma pauperis* on appeal should be **DENIED** as **MOOT** because the Fifth Circuit Court of Appeals dismissed petitioner's appeal for want of prosecution on March 22, 2013, for failure to either pay the docketing fee or to follow this Court's order to provide a signed certificate of trust account.

SIGNED this 28th day of March, 2013.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE